

1 HON. RICHARD A. JONES
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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

10 LANCE P. MCDERMOTT,

11 Plaintiff, *Pro Se*

12 v.

13 MYRNA UMALI, President, Greater Seattle Area
14 Local American Postal Workers Union, and
MEGAN BRENNAN, Postmaster General, U.S.
Postal Service, *Et Al.*,

15 Defendants.

16 No. 15-cv-01069 RAJ

17 **REPLY IN SUPPORT OF MOTION**
18 **TO DISMISS**

19 Note for hearing:
November 13, 2015

20 Plaintiff Lance McDermott has not filed any opposition to Defendant's Motion to
21 Dismiss. "If a party fails to file papers in opposition to a motion, such failure may be considered
22 by the court as an admission that the motion has merit." LCR 7(b)(2). This rule applies equally
23 to pro se litigants. See, e.g., Howery v. Int'l Ass'n of Machinists, 2015 WL 5436802 (W.D.
24 Wash. 2015) (R. Jones) (granting defendant's motion for summary judgment when "[p]laintiff
25 has failed to file an opposition to the motion"). Plaintiff's claims are properly dismissed.

REPLY IN SUPPORT OF MOTION TO
DISMISS 15-cv-01069 RAJ - 1

ROBBLEE DETWILER & BLACK
ATTORNEYS at LAW

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DATED this 13th day of November, 2015.

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3 s/Kristina Detwiler

4 Kristina Detwiler, WSBA No. 26448
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8 Attorneys for Defendant Myrna Umali, President
9 Greater Seattle Area Local American Postal
Workers Union

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CERTIFICATE OF SERVICE

2
I hereby certify that on November 13th, 2015 I electronically filed the foregoing **REPLY**
3
IN SUPPORT OF MOTION TO DISMISS with the Clerk of the Court using the CM/ECF
4
system. On this same day, I caused a true and correct copy of the above-referenced document to
5
be sent via first class mail, postage prepaid, to the following:

6
Lance McDermott
7
1819 S 104 Street
Seattle, Washington 98168

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s/Kristina Detwiler
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Kristina Detwiler, WSBA No. 26448
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